



General Assembly

January Session, 2011

Raised Bill No. 1030

LCO No. 3592

03592_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING AN APPEAL OF A DECISION OF A ZONING BOARD OF APPEALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-8 of the general statutes is amended by adding
2 subsection (s) as follows (*Effective October 1, 2011*):

3 (NEW) (s) If the court finds that any appeal taken pursuant to this
4 section was taken without just cause or was taken solely for the
5 purpose of delay, the court shall order the party responsible for taking
6 the appeal to pay to the party injured by such appeal treble damages,
7 together with costs and a reasonable attorney's fee. Such order shall be
8 in addition to any other remedy or disciplinary action required or
9 permitted by statute or by rules of court.

This act shall take effect as follows and shall amend the following sections:

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| Section 1 | <i>October 1, 2011</i> | 8-8 |
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Statement of Purpose:

To require a court to award double costs and reasonable attorney's fees to an injured party in an appeal of a zoning board of appeals' decision, or the decision of a similar board or commission, if the court finds that the appeal was taken without just cause or solely for the purpose of delay.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]